
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 3

Investigations and subsequent proceedings

Report on investigation

27.—(1) For the purposes of paragraph 22(7) of Schedule 3 (final reports on investigations)(1), a report on an investigation to which paragraph 19A of Schedule 3 (special procedure where investigation relates to police officer or special constable) applies must—

- (a) include an accurate summary of the evidence;
- (b) be accompanied by, or refer to, any relevant documents, and
- (c) where the investigation was carried out under paragraph 16 of Schedule 3 (investigations by the appropriate authority on its own behalf), include the opinion of the person investigating as to the matters mentioned in paragraph (3)(a), (b) and (e).

(2) On completion of an investigation—

- (a) carried out under paragraph 18 or 19 of Schedule 3 (investigations directed by the Director General and investigations by the Director General), and
- (b) to which paragraph 19A of that Schedule applies,

where the Director General seeks the views of the appropriate authority on the matters mentioned in paragraph 23(5A)(a) of that Schedule (action by the Director General in relation to an investigation report)(2), the Director General must notify the appropriate authority of the Director General's opinion as to the matters mentioned in paragraph (3).

(3) The matters are—

- (a) whether any person to whose conduct the investigation related has a case to answer in respect of misconduct or gross misconduct or has no case to answer;
- (b) whether or not any such person's performance is unsatisfactory;
- (c) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);
- (d) whether or not performance proceedings should be brought against any such person;
- (e) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the reflective practice review process.

(1) Paragraph 22(7) was inserted by paragraphs 1, 3 and 12 of Schedule 23 to the Criminal Justice and Immigration Act 2008 and amended by paragraph 47 of Schedule 5 to the Policing and Crime Act 2017.

(2) Paragraph 23(5A) was inserted by paragraphs 9 and 26 of Schedule 5 to the Policing and Crime Act 2017 and amended by paragraphs 15 and 56 of Schedule 9 to that Act.

Changes to legislation: There are currently no known outstanding effects for the The Police
(Complaints and Misconduct) Regulations 2020, Section 27. (See end of Document for details)

(4) The appropriate authority must provide the Director General with its views (if any) on the matters mentioned in paragraph 23(5A)(a) of Schedule 3 before the expiry of the time limit mentioned in paragraph (5).

(5) The time limit is 28 days starting with the day after which the Director General seeks the appropriate authority's views in accordance with paragraph 23(5A)(a) of Schedule 3, unless this period is extended by the Director General.

Commencement Information

II Reg. 27 in force at 1.2.2020, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020, Section 27.